

**BEFORE THE BOARD OF DENTAL EXAMINERS
OF THE STATE OF IOWA**

IN THE MATTER OF:)

LINDSAY M. BROWN, D.D.S.)
955 31st Street)
Marion, IA 52302)

**STIPULATION AND
CONSENT ORDER**

License #6663)

Respondent)

On this 13th day of March, 2003, the Iowa Board of Dental Examiners and Lindsay M. Brown, D.D.S., each hereby agree with the other and stipulate as follows:

The disciplinary hearing scheduled to commence before the Iowa Board of Dental Examiners on the 16th day of April, 2003, on the allegations specified in the Statement of Charges which is attached to the Notice of Hearing dated January 24, 2003, shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order:

1. That Respondent was issued a license to practice dentistry in the state of Iowa on the 1st day of July, 1981, as evidenced by License Number 6663 which is recorded in Book D, Page 27, of the permanent records in the office of the Iowa Board of Dental Examiners.

2. That Iowa Dental License Number 6663 is current and on active status until June 30, 2004.
3. That the Iowa Board of Dental Examiners has jurisdiction over the parties and subject matter herein.
4. A Notice of Hearing and Statement of Charges was filed against Respondent on January 24, 2003.

THEREFORE, IT IS HEREBY ORDERED that in accord with the Stipulation and Consent of the parties herein that Respondent's dental license shall be placed on probation for a period of two (2) years during which period the Respondent shall be allowed to practice dentistry by the Board. After the two (2) year period expires, Respondent may request review of the probation of his dental license.

SECTION I.

1. Effective immediately the Respondent shall cease and desist from delegating duties to unlicensed auxiliary staff personnel which cannot legally be delegated to them.
2. Effective immediately the Respondent shall cease and desist from delegating duties to auxiliary staff personnel which cannot legally be delegated to them without proper supervision.
3. Respondent shall successfully pass a written jurisprudence examination to be taken at the office of the Board at 400 SW 8th Street, Ste. D, Des Moines, Iowa within thirty (30) days of the date of this Order. The Board shall provide to Respondent the materials necessary for study and passage of this written jurisprudence examination within five (5) days of this Order.

4. The Respondent agrees to remit to the Iowa Board of Dental Examiners a civil penalty in the amount of one-thousand dollars (\$1,000.00) within thirty (30) days of the date of this Order.
5. The Respondent shall report to the Board with a list of current employees within fourteen (14) days of the date of this Order. Respondent's report shall list each employee's job title along with a detailed description of all assigned duties. This report shall be signed by both Respondent and all listed employees.
6. During the probation period, as set forth herein, the Respondent shall disclose to all current and future licensees, employers, and staff in his practice of this action against his license. The Respondent shall report back to the Board with signed statements from all current and all future employers/employees within fourteen (14) days of the date of this Order and thereafter within fourteen (14) days of any new employment relationship, that they have read the Statement of Charges and this Final Order.
7. Respondent shall allow for all employees to report directly to the Board any violation of this Order or any violations of statutes or rules regulating the practice of dentistry in Iowa. Such reporting employee(s) shall not be subject to adverse action by Respondent as a result of such report.
8. The Respondent shall fully cooperate with random unannounced office visits by agents of the Board to determine compliance with this Order.

9. The Respondent shall be responsible for all costs associated with compliance with this Order, and shall also be responsible for all costs, including mileage and expenses, incurred by the Board in the monitoring of this Order to determine compliance. Respondent shall promptly remit for such costs.
10. The Respondent shall upon reasonable notice, and subject to the provisions of Board rule 650 Iowa Administrative Code 31.6, appear before the Board at the time and place designated by the Board.
11. This Order has no affect on any other Order issued by the Board.

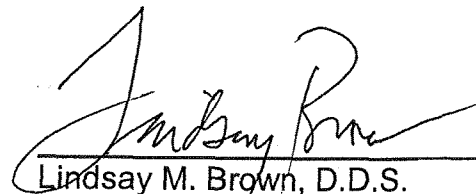
SECTION II.

1. The Respondent acknowledges that he has read in its entirety the foregoing Stipulation and Consent Order and that he understands its content and that he executed the Order freely, voluntarily, and with no mental reservation whatsoever.
2. The Respondent acknowledges his right to a hearing as provided for by law and waives his right to a hearing in this matter.
3. The Respondent acknowledges that he has the right to be represented by counsel in this matter.
4. The Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
5. The Respondent understands that the Board is required by Federal law to report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.

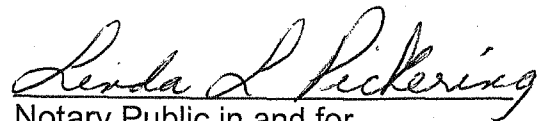
6. The Respondent acknowledges that no member of the Board, nor any employee, nor attorney for the Board, has coerced, intimidated, or pressured him, in any way whatsoever, to execute this Order.
7. The Respondent acknowledges that this proposed settlement is subject to approval of a majority of the full Board. If the Board fails to approve this proposed settlement, it shall be of no force or effect as to either party.
8. The Respondent shall fully and promptly comply with all Orders of the Board and the statutes and rules regulating the practice of dentistry in Iowa. Any violation of the terms of this Order is grounds for further disciplinary action, upon notice and opportunity for hearing, for failure to comply with an Order of the Board, in accordance with Iowa Code Section 272C.3(2)(a) (2001).
9. The Board's approval of this Stipulation and Consent Order shall constitute a FINAL ORDER of the Board.

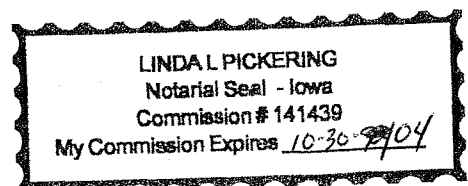
This Stipulation and Consent Order is voluntarily submitted on this 12th day of

March, 2003.


Lindsay M. Brown, D.D.S.
Respondent

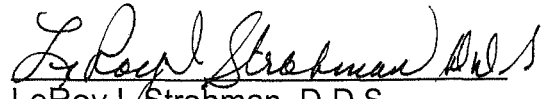
Subscribed and Sworn to before me on this 12th day of March, 2003.


Notary Public in and for
the State of Iowa



This Stipulation and Consent Order is accepted by the Iowa Board of Dental

Examiners on this 13th day of March, 2003.


LeRoy I. Strohman, D.D.S.
Chairperson
Iowa Board of Dental Examiners
400 SW 8th Street, Ste. D
Des Moines, IA 50309

cc: Theresa O'Connell Weeg
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
Des Moines, IA 50319

Raymond R. Stefani, II
Attorney for Respondent
Gray, Stefani & Mitvalsky, P.L.C.
200 American Building
P. O. Box 456
Cedar Rapids, IA 52406